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FAX TRANSMISSION

DATE: January 23, 2007

PTO IDENTIFIER: Application Number 10/735,935-Conf. #3714
Patent Number

Inventor: Tadahiro Naitoh et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: OSHA · LIANG LLP

Jonathan P. Osha

PHONE: (713) 228-8600

Attorney Dkt. #: 04536/027001

PAGES (Including Cover Sheet): 71CONTENTS: Transmittal (1 page)
Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181-a) (3 pages) and
attachments (65 pages)
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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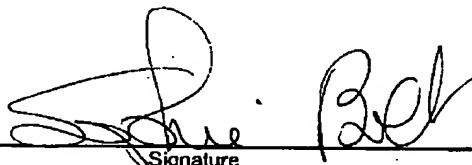
Application No. (if known): 10/735,935

Attorney Docket No.: 04536/027001

Certificate of Transmission under 37 CFR 1.8

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Sophie M. Bolt

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Transmittal (1 page)

Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181 (a)
(3 pages) and Attachments (65 pages)

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PTO/SB/21 (09-06)

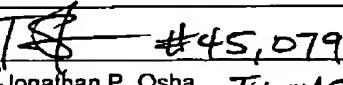
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TRANSMITTAL FORM		Application Number	10/735,935-Conf. #3714
(to be used for all correspondence after initial filing)		Filing Date	December 15, 2003
		First Named Inventor	Tadahiro Naitoh
		Art Unit	2189
		Examiner Name	Peikarl, Behzad
Total Number of Pages in This Submission	71	Attorney Docket Number	04536/027001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax and Certificate of Transmission (2 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	OSHA · LIANG LLP		
Signature	 #45,079		
Printed name	Jonathan P. Osha	Thomas Scheler	
Date	January 23, 2007	Reg. No.	33,986

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Docket No.: 04536/027001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadahiro Naitoh et al.

Application No.: 10/735,935

Confirmation No.: 3714

Filed: December 15, 2003

Art Unit: 2189

For: DATA STORAGE AND REPRODUCTION
APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

Examiner: Peikari, Behzad

PETITION TO WITHDRAW HOLDING OF ABANDONMENTUNDER 37 C.F.R. § 1.181 (a)MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Abandonment mailed November 29, 2006, please withdraw the holding of abandonment for the following reasons. The Notice of Allowance mailed on July 25, 2006, was never received by Applicant. Consequently, Applicant was unable to timely present a response to the Notice of Allowance requesting that the issue fee and publication fee paid on April 3, 2006, be applied. Thus, a request for reconsideration of the holding of abandonment of this application is appropriate.

On April 3, 2006, Applicant submitted the payment of issue fee and publication fee for the above-referenced application. A true copy of the originally filed documents and the Issue Notification dated May 24, 2006, is enclosed under Exhibit 1.

Thereafter, Applicant timely filed a Petition to Withdraw Case from Issue ("Petition") along with a Request for Continued Examination and an Information Disclosure Statement on May 25, 2006. The Decision on the Petition ("Decision") dated June 2, 2006, was received by Applicant with a date-stamp of June 7, 2006. A true copy of the originally filed Petition and the Decision is enclosed under Exhibit 2.

On July 25, 2006, a new Notice of Allowance ("Notice") for the above-captioned application was mailed. Although the Attorney/Agent address is correct on the Notice, Applicant never received the Notice by mail. Applicant learned of the Notice only while doing a routine status check via the Internet. Applicant has consulted the records of the U.S. Patent and Trademark Office and has confirmed that the PTO records show the Notice was mailed on July 25, 2006, to the correct Attorney/Agent address. Despite the fact that PTO records show this document as being mailed, we know that it was not received by our office because we maintain, in addition to our electronic docketing system, a handwritten entry book (docket journal) of every item that arrives in our office by mail or courier. We have checked this book where the non-received Office communication would have been received and have confirmed that the Notice in this case was never received. We have printed the Notice from the U.S. Patent and Trademark Office PAIR Web site, and enclose a copy of the Notice for your records under Exhibit 3. Also enclosed are a copy of the signed Declaration of Deborah K. Doyle, our docketing specialist, copies of the relevant pages of the book, and a copy of computer generated Docket Sheet under Exhibit 4. We confirm that, had we received the Notice, we would have timely responded by requesting application of the fee already paid.

Applicant believes that this petition is complete in its requirements and respectfully requests that a withdrawal of the holding of abandonment be issued for the above application and that the earlier paid issue fee be applied to the Notice mailed on July 25, 2006, for the above application. Alternatively, if the Examiner prefers, Applicant respectfully requests that the Notice of Allowance that was never received by Applicant be re-mailed. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. No fee is believed due with this petition. Please apply any charges not covered, or any credits, to our Deposit Account No. 50-0591, under Order No. 04995/147001.

Dated: January 23, 2007

Respectfully submitted,

By TS #45,079
f Jonathan P. Osha THOMAS SCHERER
Registration No.: 33,981
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

Attachments: Copy of documents with regard to Issue Fee paid April 3, 2006
Copy of Issue Notification dated May 24, 2006
Copy of Petition to Withdraw from Issue dated May 25, 2006
Copy of Decision on Petition dated June 2, 2006
Copy of Notice of Allowance dated July 25, 2006
Declaration of Deborah K. Doyle

01/23/2007 17:13 FAX 7132288778

OSHA_LIANG LLP

007/075



EXHIBIT 1

Inventor: Tadahiro Naitoh et al.

Atty Docket No.: 04536/027001

Application No.: 10/735,935 Filing Date: December 15, 2003
Title: DATA STORAGE AND REPRODUCTION APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

Documents Filed:

Transmittal Letter (2 pages)

Part B - Fee(s) Transmittal (1 page)

Fee Transmittal (1 page)

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Charge \$1,712.00 to credit card

Certificate of Express Mailing (1 page)



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Docket No.: 04536/027001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadahiro Naitoh et al.

Confirmation No.: 3714

Application No.: 10/735,935

Group Art Unit: 2189

Filed: December 15, 2003

Examiner: Leonid Kravets

For: DATA STORAGE AND REPRODUCTION
APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

TRANSMITTAL LETTER

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal (1 page);
2. Part B – Fee(s) Transmittal (1 page);
3. Payment by credit card; Form PTO-2038 attached (1 page); charge \$1,712.00 to credit card;
4. Certificate of Express Mailing (1 page); and
5. Return Receipt Postcard (1 page).

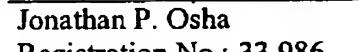
Application No.: 10/735,935

Docket No.: 04536/027001

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Order No. 04536/027001.

Dated: April 3, 2006

Respectfully submitted,

By 
for 
Jonathan P. Osha
Registration No.: 33,986
OSHA LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600

Reg. No.
46,479

PART B - FEE(S) TRANSMITTAL

File and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEERECEIVED
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JAN 23 2007

CAUTION: THIS FORM SHOULD BE USED FOR TRANSMITTING THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED). BLOCKS 1 THROUGH 5 SHOULD BE COMPLETED WHERE APPLICABLE. ALL FURTHER CORRESPONDENCE INCLUDING THE PATENT, ADVANCE ORDERS AND NOTIFICATION OF MAINTENANCE FEES WILL BE MAILED TO THE CURRENT CORRESPONDENCE ADDRESS AS UNLESS CORRECTED BELOW OR DIRECTED OTHERWISE IN BLOCK 1, BY (A) SPECIFYING A NEW CORRESPONDENCE ADDRESS; AND/OR (B) INDICATING A SEPARATE "FEE ADDRESS" FOR FEE NOTIFICATIONS.

NOT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

2511 7590 01/03/2006

IA LIANG L.L.P.
1 MCKINNEY STREET
TB 2800
JSTON, TX 77010

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2881, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

LOCATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
1735,935	12/15/2003	Tadahiro Naitoh	04536.027-01	3714

INVENTION: DATA STORAGE AND REPRODUCTION APPARATUS STORING AND REPRODUCING MULTIMEDIA DATA

LN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
provisional	NO	\$1400	\$300	\$1700	04/03/2006
EXAMINER	ART UNIT	CLASS-SUBCLASS			
KRAVETS, LEONID	2189	711-161000			

of correspondence address or indication of "Fee Address" (37).

age of correspondence address (or Change of Correspondence form PTO/SB/122) attached.

Address" indication (or "Fee Address" Indication form 147; Rev 03-02 or more recent) attached. Use of a Customer r is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Osha Liang LLP

2. _____

3. _____

EE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

B NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for ion as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

I ELECTRIC CO., LTD.

Daito-shi, Osaka, JAPAN

Check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

owing fee(s) are enclosed:

4b. Payment of Fee(s):

 A check in the amount of the fee(s) is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0591 (enclose an extra copy of this form).

a Entity Status (from status indicated above)

plicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

r of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent, or the assignee or other party in own by the records of the United States Patent and Trademark Office.

nd Signature R. P. O. Reg. No. 46,479 Date April 13, 2006printed name for Jonathan P. Osha Registration No. 33,936

on of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) in. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and completing application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete /or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: CUST. SERV. DIV., U.S. DEPT. OF COMMERCE, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450. * PAGE 12/75 * RCVD AT 01/23/2007 5:09:24 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-3/13 * DNI:2738300 * CSID:7132288778 * DURATION (mm:ss):29-56(450)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006

Complete if Known

		Application Number	10/735,935-Conf. #3714
		Filing Date	December 15, 2003
		First Named Inventor	Tadahiro Naitoh
		Examiner Name	Leonid Kravets
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2189
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No.	04536/027001

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Small Entity
Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Fee (\$)	Fee Paid (\$)
- 3 =	x	=			

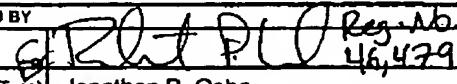
HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)		Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): 1501 Utility issue fee		1,400.00
1504 Publication fee for early, voluntary, or normal ...		300.00
8001 Printed copy of patent w/o color		12.00

SUBMITTED BY		Registration No. (Attorney/Agent)	Telephone
Signature	 46,479	33,986	(713) 228-8600
Name (Print/Type)	Jonathan P. Osha	Date	April 3, 2006

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Application No. (if known): 10/735,935

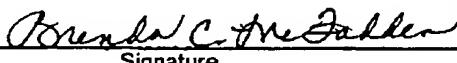
Attorney Docket No.: 04536/027001

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on April 3, 2006
Date



Signature

Brenda C. McFadden

Typed or printed name of person signing Certificate

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Telephone Number

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,935	06/13/2006	7062152	04536.027001	3714

22511 7590
 OSHA LIANG L.L.P.
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 HOUSTON, TX 77010

Docketed Action:		
<input type="checkbox"/> New	<input type="checkbox"/> Previously	<input checked="" type="checkbox"/> Non Required
Docket Number: <u>04536.027001</u>		
Attorney Initials: <u>JPD/ALP</u>		
Docketing Initials: <u>mtk</u>		

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MAY 30 2006

OSHA • LIANG LLP

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The Patent Term Adjustment is 322 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

APPLICANT(S) (up to 18 names are included below, see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Tadahiro Naitoh, Osaka, JAPAN;
 Makoto Takemoto, Osaka, JAPAN;



Inventor: Tadahiro Naitoh et al. Atty Docket No.: 04536/027001

Application No.: 10/735,935-Conf. #3714 Filing Date: December 15, 2003
Title: DATA STORAGE AND REPRODUCTION APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

Documents Filed:

Fee Transmittal (1 page)

Petition to Withdraw Application From Issue
(RCE) (2 pages)

Request for Continued Examination Transmittal
(1 page)

Payment by credit card. Form PTO-2038 is attached (1 page)

Information Disclosure Statement (2 pages)

Certificate of Express Mailing (1 page)

Copies of Information Disclosure Statement (18 pages)

Via: Express Mail: Airbill No. EV842277471US

Sender's Initials: JPO/NJP/smb

Date: May 25, 2006





EV 842277471 US

Mailing Label
 Label 11-F, April 2004


UNITED STATES POSTAL SERVICE

Post Office To Addressee**ORIGIN (POSTAL SERVICE USE ONLY)**

PO ZIP Code	Day of Delivery	Postage	
	<input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del. Day	\$	
Date Accepted	Scheduled Date of Delivery	Return Receipt Fee	
Mo. Day Year	Month Day	\$	
Time Accepted	COD Fee	Insurance Fee	
□ AM □ PM	\$	\$	
Flat Rate <input type="checkbox"/> or Weight	Military	Total Postage & Fees	
lbs. ozs.	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	\$	
Int'l Alpha Country Code		Acceptance Emp. Initials	

CUSTOMER USE ONLY**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No.

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

713 228 8600

PHONE

OSHA LIANG LLP
ONE HOUSTON CENTER STE 2800
1221 MCKINNEY ST
HOUSTON TX 77010-2026
04536/027001
RPO/NYP/Smb



TO: (PLEASE PRINT)

PHONE

MAIL STOP NS 313 (c)
COMMISSIONER FOR PATENTS
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3677 500 F:02 T:12

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code	Day of Delivery	Postage	
77202	<input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del. Day	\$ 1/16	
Date Accepted	Scheduled Date of Delivery	Return Receipt Fee	
Mo. Day Year	Month Day	\$	
Time Accepted	COD Fee	Insurance Fee	
1933 □ AM □ PM	\$	\$	
Flat Rate <input type="checkbox"/> or Weight	Military	Total Postage & Fees	
15 lbs. ozs.	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	\$ 1/16	
Int'l Alpha Country Code		Acceptance Emp. Initials	

CUSTOMER USE ONLY**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No.

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

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020/075

JAN 23 2007

Application No. (if known): 10/735,935

Attorney Docket No.: 04536/027001

Certificate of Express Mailing Under 37 CFR 1.10

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Date



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Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)
Petition to Withdraw Application From Issue (RCE) (2 pages)
Request for Continued Examination Transmittal (1 page)
Payment by credit card. Form PTO-2038 is attached (1 page)
Information Disclosure Statement (2 pages)
Copies of Information Disclosure Citations (23 pages)
IDS (Citation) by Applicant (18 references) (1 page)
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021/075

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PTO/SB/17 (01-06)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<i>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</i>		<i>Complete if Known</i>	
FEE TRANSMITTAL For FY 2006		Application Number	10/735,935-Conf. #3714
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 15, 2003
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Tadahiro Naitoh
920.00		Examiner Name	Kravets, Leonid
		Art Unit	2189
		Attorney Docket No.	04536/027001

METHOD OF PAYMENT (check all that apply)					
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account			Deposit Account Number: 50-0591	Deposit Account Name: Osha · Liang LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)					
<input type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee			
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments			

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Small Entity
Fee (\$) Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)Multiple Dependent ClaimsFee (\$) Fee Paid (\$)

- = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)Fee (\$) Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

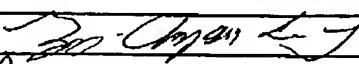
Fee Paid (\$)

Other (e.g., late filing surcharge): 1464 Petitions to the Director not specifically ...

130.00

1801 Request for continued examination (RCE) (see 37 ...)

790.00

SUBMITTED BY					
Signature			Registration No. (Attorney/Agent)	33,986	Telephone
Name (Print/Type)	Jonathan P. Osha		T. Chyan Liang # 48,885	Date	May 25, 2006

JAN 23 2007

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<p style="text-align: center;">Request For Continued Examination (RCE) Transmittal</p> <p>Address to: MS 313(c) Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Application Number	10/735,935-Conf. #3714
	Filing Date	December 15, 2003
	First Named Inventor	Tadahiro Naitoh
	Art Unit	2189 22511
	Examiner Name	Kravets, Leonid
	Attorney Docket Number	04536/027001

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. Other Petition to Withdraw Application from Issue

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, any underpayment of fees or credit any overpayments to Deposit Account No. 50-0591. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other Petitions to the Director not specifically provided for (Group III)

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	May 25, 2006
Name (Print/Type)	Jonathan P. Osha T. Chyan Liang	Registration No.	33,986

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Docket No.: 04536/027001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadahiro Naitoh et al.

Allowed: April 03, 2006

Application No.: 10/735,935

Confirmation No.: 3714

Filed: December 15, 2003

Art Unit: 2189

For: **DATA STORAGE AND REPRODUCTION
APPARATUS STORING AND REPRODUCING
MULTIMEDIA DATA**

Examiner: Kravets, Leonid

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**

MS 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

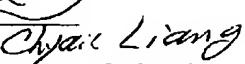
Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on April 3, 2006.

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with an Information Disclosure Statement) a copy of which is enclosed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 04536/027001.

Dated: May 25, 2006

Respectfully submitted,

By 
Jonathan P. Osha 
Registration No.: 33,986 #48,885
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

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JAN 23 2007

Docket No.: 04536/027001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadahiro Naitoh et al.

Application No.: 10/735,935

Confirmation No.: 3714

Filed: December 15, 2003

Art Unit: 2189

For: DATA STORAGE AND REPRODUCTION
APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

Examiner: Kravets, Leonid

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)MS 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08.

This Information Disclosure Statement is filed after payment of the Issue Fee.

A summary/abstract translation of the non-English language references is enclosed.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

Application No.: 10/735,935

Docket No.: 04536/027001

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of two Office Actions from the Japanese patent office, issued in a counterpart application, which refers to the relevant portions of the references.

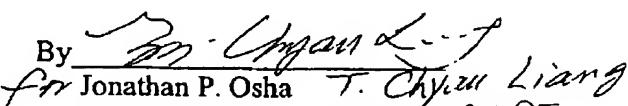
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 04536/027001.

Dated: May 25, 2006

Respectfully submitted,

By 
for Jonathan P. Osha T. Chiyuu Liang
Registration No.: 33,986 #48,883
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

JAN 23 2007

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO

Complete If Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Application Number	10/735,935-Conf. #3714
Filing Date	December 15, 2003
First Named Inventor	Tadahiro Naitch
Art Unit	2189
Examiner Name	Kravets, Leonid

Sheet	1	of	2	Attorney Docket Number	04536/027001
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	JP-7-249261		09-26-1995	Aiwa Co. Ltd.		
BB	JP-5-314726		11-26-1993	Sony Corp.		
BC	JP-9-198848		07-31-1997	Hitachi Ltd.		
BD	JP-2001-312875		11-09-2001	Matsushita Electric Ind. Co. Ltd.		
BE	JP-64-10465		01-13-1989	Matsushita Electric Ind. Co. Ltd.		
BF	JP-10-97766		04-14-1998	Toshiba Corp.		
BG	JP-2002-330376		11-15-2002	Victor Co. of Japan Ltd.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²
CA	Patent Abstracts of Japan, Publication No.: 07-249261, Publication Date: September 26, 1995, 1 page.					
CB	Patent Abstracts of Japan, Publication No.: 05-314726, Publication Date: November 26, 1993, 1 page.					
CC	Patent Abstracts of Japan, Publication No.: 09-198848, Publication Date: July 31 1997, 1 page.					
CD	Patent Abstracts of Japan, Publication No.: 2001-312875, Publication Date: November 09, 2001, 1 page.					
CE	Patent Abstracts of Japan, Publication No.: 64-010465, Publication Date: January 13, 1989, 1 page.					
CF	Patent Abstracts of Japan, Publication No.: 10-097766, Publication Date: April 14 1998, 1 page.					
CG	Patent Abstracts of Japan, Publication No.: 2002-330376, Publication Date: November 15, 2002, 1 page.					
CH	Japanese Office Action issued for Japanese Application No. 2002-372101, mailed on February 21, 2006, and English translation thereof, 5 pages.					
CI	Japanese Final Decision for Rejection issued for Japanese Application 2002-372101, mailed on May 23, 2006, and English translation thereof, 4 pages.					

PATENT ABSTRACTS OF JAPAN

(11)Publication number : 07-249261
 (43)Date of publication of application : 26.09.1995

1)IntCl.

G11B 20/10
 G11B 20/12
 G11B 27/00

1)Application number : 06-038774
 2)Date of filing : 09.03.1994

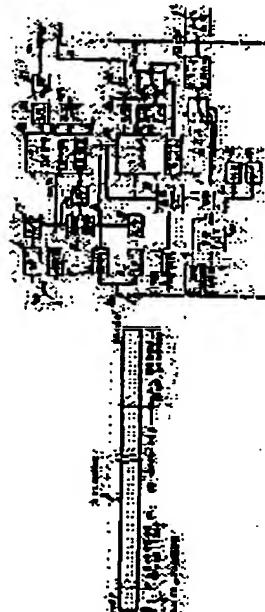
(71)Applicant : AIWA CO LTD
 (72)Inventor : TAKADO SEIICHI

4) DATA RECORDING DEVICE

7)Abstract

PROPOSE: To read out data by restoring management information of a sub-management region even if management information of a main management region is destructed, by recording the management information in the main management region, recording management information of the main management region in the sub-management region after a prescribed time, and updating the management information of the sub-management region.

INSTITUTION: When one screen of video data of a luminance signal YIN and video data of a carrier chrominance signal CIN is recorded in an external storage device 40, information and the like floating from which sector of a video data region 44 the picture number of recorded video data and recorded video data are recorded, are recorded in a main management region 43 of the external storage device 40 from a control microcomputer 19 through video data terminal 34. Next, when video data recorded in the device 40 is read out, management information of the region 43 of a recording medium 41 is sent to the microcomputer 19 through a switch 30. Then, management information is recorded in the region 43, and the management information of the region 43 is recorded in sub-management region 45 after the prescribed timing, and management information of the region 45 is updated.



QUAL STATUS

[date of request for examination] 23.02.2000
 [date of sending the examiner's decision of rejection] 22.05.2001
 [ind of final disposal of application other than the examiner's decision of rejection or application converted to registration]
 [date of final disposal for application]
 [patent number]
 [date of registration]
 [number of appeal against examiner's decision of rejection]
 [date of requesting appeal against examiner's decision of rejection]
 [date of extinction of right]

(19)日本国特許庁 (JP)

(12) 公開特許公報 (A)

(11)特許出願公開番号

特開平7-249261

(43)公開日 平成7年(1995)9月26日

(51) Int.Cl.*	識別記号	序内整理番号	F 1	技術表示箇所
G 11 B 20/10		B 7736-5D		
20/12	102	9295-5D		
27/00		D 8224-5D		
		8224-5D	G 11 B 27/00	D

審査請求 未請求 請求項の数4 つL (全8頁)

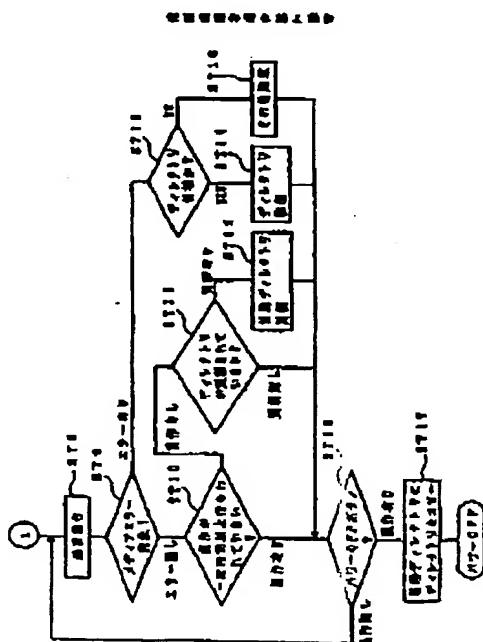
(21)出願番号	特願平6-38774	(71)出願人	000000491 アイワ株式会社 東京都台東区池之端1丁目2番11号
(22)出願日	平成6年(1994)3月9日	(72)発明者	高尾 晴一 東京都台東区池之端1丁目2番11号 アイ ワ株式会社内
		(74)代理人	弁理士 山口 邦夫 (41名)

(54)【発明の名称】 データ記録装置

(57)【要約】

【目的】管理領域の管理情報が破壊されても、データ領域のデータを読み出すことができるデータ記録装置を供給する。

【構成】外部記憶装置40の記録媒体41に確保された主管理領域43と副管理領域45に画像データの管理情報を記録する。ステップST10で画像データの記録や再生の操作が一定時間を越えない間に行なうと、ST16に進む。ST16でパワースイッチのオフボタンを操作しないとステップST8に進み記録や再生の動作ができる。ST10で操作を一定時間内に行われないと、ST11で領域43の管理情報の更新を判定し、更新していない場合にはST16に進み、更新した場合にはST12で領域45の管理情報を更新しST16に進む。ST16でパワースイッチのオフボタンを操作すると、ST17で領域43の管理情報を領域45に複写しパワーをオフする。



PATENT ABSTRACTS OF JAPAN

(11)Publication number : 05-314728
 (43)Date of publication of application : 26.11.1993

1)Int.Cl.

G11B 27/00
 G11B 7/00
 G11B 27/10

1)Application number : 04-131884

(71)Applicant : SONY CORP

2)Date of filing : 24.04.1992

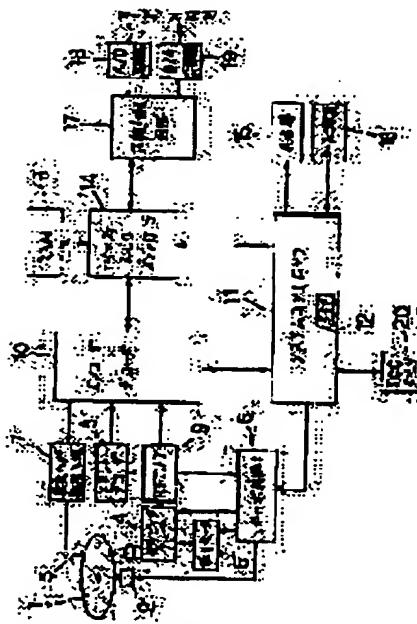
(72)Inventor : OKA NOBUYUKI

4) INFORMATION RECORDER

7)Abstract

PROPOSE: To minimize erasure of information about the starting/ending time to be recorded in a read-in area even when the power supply is stopped by stopping recording data in a data area of recording medium whenever a prescribed time is measured by a timer and recording information in the read-in area.

CONSTITUTION: At the time of recording an audio signal S on a magnetooptical recording medium 1, the audio signal to be inputted to an A/D converter 18 is converted into a digital signal, and is then inputted in a compression/ expansion circuit 17. Then, the compressed digital data is continuously stored in a RAM 13 until its storage capacity is filled up based on a write control signal from a buffer memory controller 14, and this signal is burstwise read out based on a read control signal from the controller 14, and is then immediately compression-processed again by the circuit 17, and is afterward stored in the RAM 13. Afterward, the data read out of the RAM 13 is inputted to an encoder/decoder 10, and after adding address data, modulation and coding, the processed signal is impressed upon a head 3 via a magnetic head driving circuit 7.



GAL STATUS

date of request for examination] 22.04.1999
 date of sending the examiner's decision of rejection]
 end of final disposal of application other than the examiner's decision of rejection or application converted to registration]
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 invent number] 3220960
 date of registration] 17.08.2001
 number of appeal against examiner's decision of rejection]
 date of requesting appeal against examiner's decision of rejection]
 date of extinction of right]

PATENT ABSTRACTS OF JAPAN

(11)Publication number : 05-314726
 (43)Date of publication of application : 26.11.1993

1)Int.Cl.

G11B 27/00
 G11B 7/00
 G11B 27/10

1)Application number : 04-131884

(71)Applicant : SONY CORP

2)Date of filing : 24.04.1992

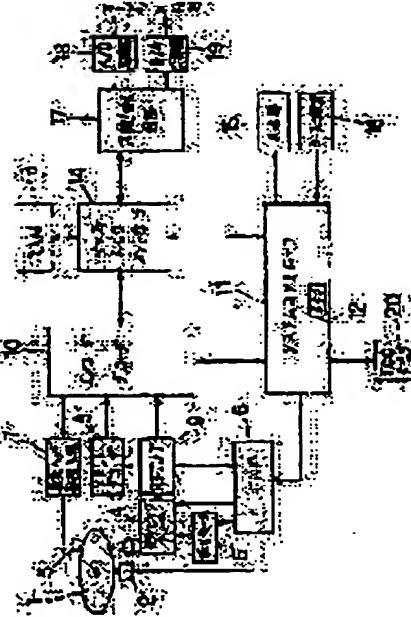
(72)Inventor : OKA NOBUYUKI

1) INFORMATION RECORDER

1)Abstract

OBJECT: To minimize erasure of information about the writing/erasing time to be recorded in a read-in area even when the power supply is stopped by stopping recording data in a data area of recording medium whenever a prescribed time is measured by a timer and recording information in the read-in area.

INSTITUTION: At the time of recording an audio signal S on a magneto-optical recording medium 1, the audio signal to be inputted to an A/D converter 18 is converted into a digital signal, and is then inputted in a compression/ expansion circuit 17. Then, the compressed digital data is continuously stored in a RAM 13 until its storage capacity is filled up based on a write control signal from a buffer memory controller 14, and this signal is burstwise read out based on a read control signal from the controller 14, and is then immediately compression-processed again by the circuit 17, and is afterward stored in the RAM 13. Afterward, the data read out of the RAM 13 is inputted to an encoder/decoder 10, and after adding error data, modulation and coding, the processed signal is impressed upon a head 3 via a magnetic head driving circuit 7.



2)AL STATUS

[date of request for examination] 22.04.1999

[date of sending the examiner's decision of rejection]

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[date of final disposal for application]

[tent number] 3220980

[date of registration] 17.08.2001

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PATENT ABSTRACTS OF JAPAN

(11)Publication number : 09-198848
 (43)Date of publication of application : 31.07.1997

1)Int.Cl.

G11B 27/00
 G11B 19/04
 G11B 27/10

1)Application number : 08-008990

(71)Applicant : HITACHI LTD
 HITACHI MICROCOMPUT SYST LTD

1)Date of filing : 23.01.1998

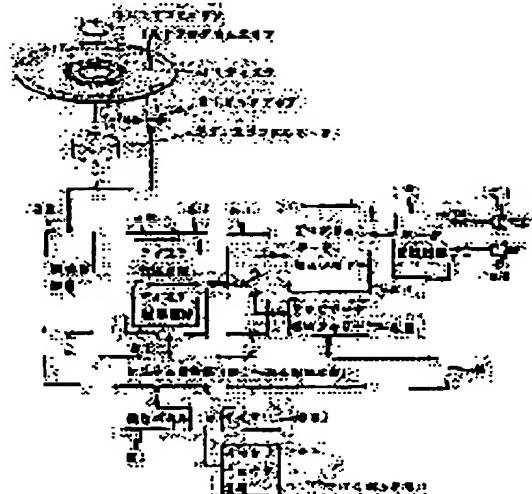
(72)Inventor : TAKAHASHI HIROMASA
 HAGIWARA MITSUO

1) MD SYSTEM

1)Abstract:

PROBLEM TO BE SOLVED: To stop the recording data to be lost when a recording operation stops on the way by recording and preserving TOC data relative to the recording content to the dway on a TOC area even on the way of recording.

SOLUTION: When a recording operation is started, a pickup 2 is moved to the TOC area 1B of a disk 1, and TOC data recorded on a area 1b is transferred to a second memory 42. Thereafter, the pickup 2 is moved to the program area 1A of the disk 1, and recorded data are sequentially recorded on the area 1A. Simultaneously, the TOC data in the memory 42 are sequentially dated in response to the recording on the area 1A. In this case, when a record stopping operation or disk discharge operation is conducted, the pickup 2 is moved to the area 1B, and the TOC data stored in the memory 42 is transferred on the area 1B by rewriting.



GAL STATUS

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(19) 日本国特許庁 (J P)

(12) 公開特許公報 (A)

(11) 特許出願公開番号

特開平9-198848

(43) 公開日 平成9年(1997)7月31日

(51)Int.Cl. **G 11 B 27/00** **501** **P 1** **G 11 B 27/00** **501 D** **D**
19/04 **19/04** **501 D**
27/10 **27/10** **A**
27/00 **27/00** **D**
27/10 **27/10** **A**
審査請求 未請求 請求項の数? **OL (全 8 頁)**

(21)出願番号 特願平8-8990
(22)出願日 平成8年(1996)1月23日

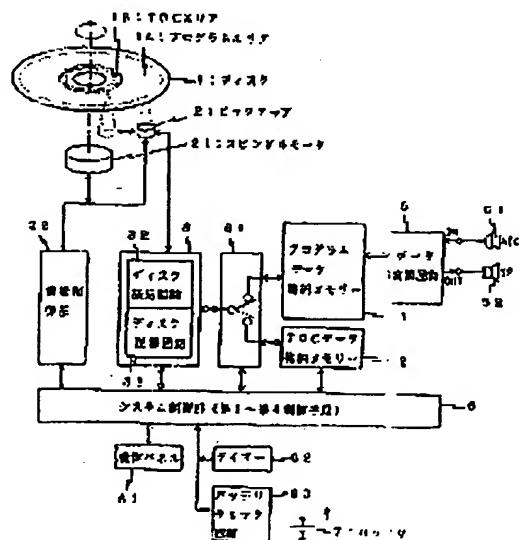
(71) 出願人 000005108
株式会社日立製作所
京都府千代田区神田駿河台四丁目6番地
(71) 出願人 000233169
株式会社日立マイコンシステム
京都府小平市上水本町5丁目22番1号
(72) 発明者 ▲百々橋 博政
東京都小平市上水本町5丁目22番1号 株式会社日立マイコンシステム内
(72) 発明者 牧原 光夫
京都府小平市上水本町5丁目22番1号 株式会社日立マイコンシステム内
(74) 代理人 非理士 太田方 � 宮道

(54) [昇明の名産] MDシステム

(57) [要約]

【課題】記憶媒体であるディスクの記録エリアをプログラムエリアとTOCエリアとに物理的に区画して録音／再生を行なうMDシステムにあって、電池切れ等によって録音動作が途中停止するようなことがあっても、それにより失われる録音データを最小限に止めることができるようにする。

【解決手段】 録音動作中にもプログラムエリアへの記録を中断してTOCエリアの記録データを更新させるとともに、この更新中に入力される録音データをメモリーに記憶・蓄積させ、さらにそのメモリーに蓄積された録音データをTOCエリアのデータ更新後に上記プログラムエリアに記録させる。



PATENT ABSTRACTS OF JAPAN

(11)Publication number : 2001-312875

(43)Date of publication of application : 09.11.2001

1)Int.Cl.

G11B 27/00
 G11B 20/10
 H04N 5/86
 H04N 5/91
 H04N 5/92

1)Application number : 2000-130459

(71)Applicant : MATSUSHITA ELECTRIC IND CO LTD

2)Date of filing : 28.04.2000

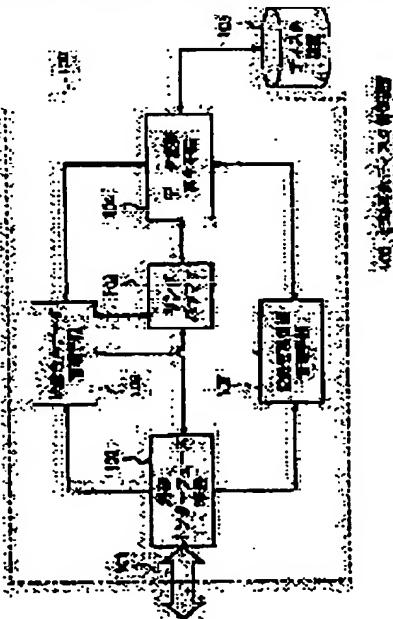
(72)Inventor : KINOSHITA TAKUMI

1) RECORDING AND REPRODUCING DISK CONTROLLER AND DISK DEVICE USING THE CONTROLLER

1)Abstract:

PROBLEM TO BE SOLVED: To provide a recording and reproducing disk controller which records recording control information without adversely affecting the recording of DVD data while storing the DVD data and which easily selects the recording control information to be read into the memory provided in the controller at the time of start-

SOLUTION: The controller is provided with a data recording and reproducing means 104 which records and reads DV data and recording control information into and from a disk shape recording medium, a video audio data control means 106 which monitors to determine whether there exists room for recording the DV data or not, and a recording control information control means 107 which temporarily holds the recording control information and outputs the information to the means 104 when the means 106 detects the fact that there exists room for the recording of the DV data by the means 104.



CAL STATUS

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date of requesting appeal against examiner's decision of action]

date of extinction of right]

(19)日本国特許庁 (JP)

(12) 公開特許公報 (A)

(11)特許出願公開番号

特開2001-312875

(P2001-312875A)

(43)公開日 平成13年11月9日 (2001.11.9)

(51)Int.Cl. G 11 B 27/00 20/10 H 04 N 5/85 5/91 6/92	識別記号 301	P 1 G 11 B 27/00 20/10 H 04 N 5/85 5/91 5/92	マーク (参考) D 5 C 0 5 2 3 0 1 Z 5 C 0 5 3 Z 5 D 0 4 4 N 5 D 1 1 0 H
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(21)出願番号 特願2000-130456(P2000-130456)

(22)出願日 平成12年4月28日 (2000.4.28)

(71)出願人 000005821
松下電器産業株式会社
大阪府門真市大学門真1006番地
(72)発明者 木下 卓巳
香川県高松市古新町8番地の1 松下電器
子工業株式会社内
(74)代理人 100081813
弁理士 早瀬 雄一

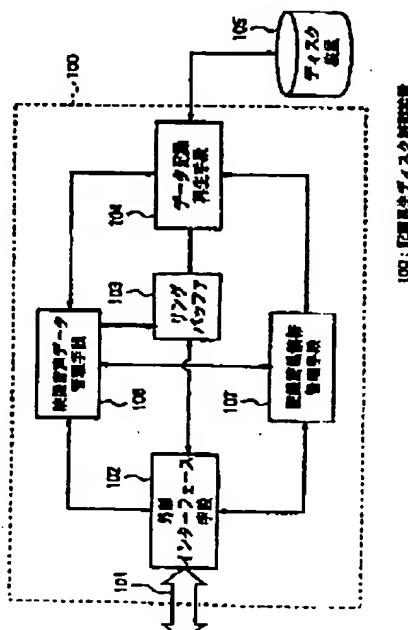
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(54)【発明の名称】記録再生ディスク制御装置、及びそれを用いたディスク装置

(57)【要約】

【課題】 DVデータの保存中にも、記録管理情報をDVデータの記録に影響を与えることなく記録し、また、起動時に記録再生ディスク制御装置に設けられたメモリに読み込むべき記録管理情報を容易に選択できる記録再生ディスク制御装置を提供する。

【解決手段】 ディスク状記録媒体にDVデータ、及び記録管理情報を記録し、読み出すデータ記録再生手段104と、データ記録再生手段104によるDVデータの記録に余裕があるか否かを監視する映像音声データ管理手段106と、記録管理情報を一時的に保持し、映像音声データ管理手段106がデータ記録再生手段104によるDVデータの記録に余裕があると検知した場合に、データ記録再生手段104に記録管理情報を出力する記録管理情報管理手段107とを備える。



PATENT ABSTRACTS OF JAPAN

(11)Publication number : 64-010465
 (43)Date of publication of application : 13.01.1989

1)Int.Cl.

G11B 20/12
 G11B 7/00
 G11B 27/00

1)Application number : 62-165773

(71)Applicant : MATSUSHITA ELECTRIC IND CO LTD

2)Date of filing : 02.07.1987

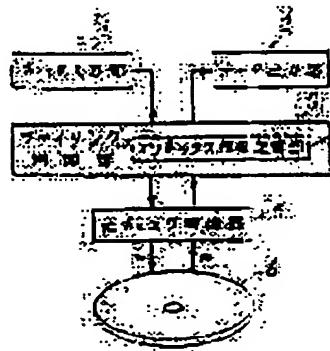
(72)Inventor : SAKAGAMI SHIGEO
 MATSUSHIMA KOJI

1) OPTICAL DISK FILE MANAGEMENT METHOD

2)Abstract:

PURPOSE: To utilize the recording area effectively by dividing an optical disk into a data recording area at the outer circumference side and an index recording area at the inner circumference side and recording the data from the outermost circumference and the index from the innermost circumference.

INSTITUTION: The optical disk 8 is divided into the data storage area at the outer circumference side and the index information recording area at the inner circumference side. In recording a data, a data inputted from a data input section 1 is recorded sequentially from the track of the outermost circumference and the index information is recorded sequentially from the innermost circumference track. Thus, the range of the data recording area and a index information recording area is arranged based on the each amount of the data and index information optimizingly to utilize the recording area of the optical disk 8 effectively.



3)GAL STATUS

Date of request for examination]

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Date of final disposal for application]

Patent number]

Date of registration]

Number of appeal against examiner's decision of rejection]

Date of requesting appeal against examiner's decision of rejection]

Date of extinction of right]

② 日本国特許庁 (JP)

① 特許出願公開

② 公開特許公報 (A) 昭64-10465

④ Int.Cl.
G 11 B 20/12
7/00
27/00

識別記号

序内整理番号

④ 公開 昭和64年(1989)1月13日

8524-5D
A-7520-5D
D-8726-5D

審査請求 未請求 発明の数 1 (全 5 頁)

③ 発明の名称 光ディスクファイル管理方法

④ 特 願 昭62-165773

④ 出 願 昭62(1987)7月2日

④ 発明者 阪上 茂生 大阪府門真市大字門真1006番地 松下電器産業株式会社内
 ④ 発明者 松島 宏司 大阪府門真市大字門真1006番地 松下電器産業株式会社内
 ④ 出願人 松下電器産業株式会社 大阪府門真市大字門真1006番地
 ④ 代理人 弁理士 中尾 敏男 外1名

明細書

1. 発明の名称

光ディスクファイル管理方法

2. 特許請求の範囲

(1) 光ディスクにおける記録領域をデータ領域とインデックス情報記録領域とに分割し、前記2つの記録領域のうち最内周トラックを含む記録領域は最内周トラックから記録を始め、前記2つの記録領域のうち最外周トラックを含む記録領域は最外周トラックから記録を始めてなる光ディスクファイル管理方法。

(2) インデックス情報記録領域の各セクタにそのセクタがインデックス情報の最終セクタでなければインデックス情報とともに途空セクタであることを示すマークを記録し、インデックス情報記録領域の各セクタにそのセクタがインデックス情報の最終セクタであればインデックス情報とともに最終セクタであることを示すマークを記録してなる特許請求の範囲第1項記載の光ディスクファイル管理方法。

図1 インデックス情報の最後にインデックス情報

終了を示すマークを記録してなる特許請求の範

図第1項記載の光ディスクファイル管理方法。

④ 発明の詳細を説明

商業上の利用分野

本発明は、デジタル信号の記録再生における光ディスクファイル管理方法に関するものである。

既存の技術

従来の光ディスクファイル管理方法としては、例えば特開昭61-266756号公報に示されている。該公報は、この従来の光ディスクファイル管理方法による光ディスクの記録状態を示す図である。

該図において、1はラベル領域、2はデータ領域、3はリザーブ領域である。ラベル領域1にはデータの種類、リザーブ領域がどこから始まっているのか、その使用範囲はどこからどこまでかというような情報が記録される。データ領域2にはデータが記録される。リザーブ領域3にはデータのアドレス等を示すインデックス情報が記録される。第6図は、この従来の光ディスク

PATENT ABSTRACTS OF JAPAN

(11)Publication number : 10-097766
 (43)Date of publication of application : 14.04.1998

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 G11B 19/02

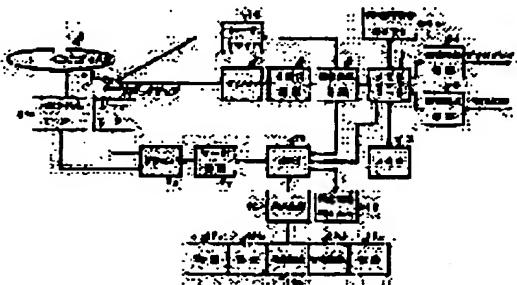
Application number : 08-245301 (71)Applicant : TOSHIBA CORP
 Date of filing : 17.09.1996 (72)Inventor : KUWABARA MAHO

OPTICAL DISK RECORDING AND REPRODUCING DEVICE, AND REPRODUCING CONTROL METHOD
 PLIED TO THE DEVICE

Abstract

PROBLEM TO BE SOLVED: To realize restart of continuous reproduction operation and to improve operability relating to induction by an user by effectively functioning so-called resuming operation even if it is taken out from an optical disk device.

SOLUTION: This device is an optical disk recording and reproducing device using an optical disk 1 such as a DVD in which data of large capacity can be recorded and reproduced. A CPU 11 detects a reproduction stop position of a recording region conforming to an indication of stopping reproduction from an input device 12, and records a resuming address showing this reproduction stop position in a UTOC(user table of contents) region of the optical disk 1. Also, the CPU 11 records resuming environment information showing a reproduction environment state at the time in the UTOC region. When the optical disk 1 is reset and the start of reproduction is instructed, the CPU 11 checks the resuming address and resuming environment information required for the resuming operation referring to the UTOC region. The CPU 11 restarts continuous reproduction operation at the time of reproduction stop by the resuming address and the resuming environment information and produces a reproduction environment state at the time.



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ate of extinction of right]

(19)日本特許庁 (JP)

(12) 公開特許公報 (A)

(11)特許出願公開番号

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(43)公開日 平成10年(1998)4月14日

(51)Int.Cl.
G 11 B 20/10
19/02

類別記号
3 2 1
5 0 1

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G 11 B 20/10
19/02

3 2 1 Z
5 0 1 E

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(21)出願番号 特願平8-245301
(22)出願日 平成8年(1996)9月17日

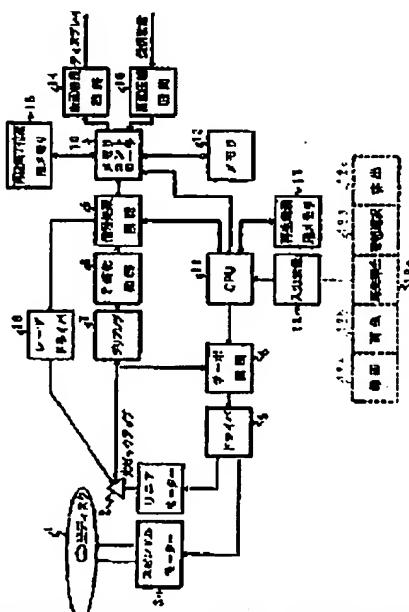
(71)出願人 000003078
株式会社東芝
神奈川県川崎市幸区堀川町72番地
(72)発明者 桑原 真帆
神奈川県川崎市幸区小向東芝町1番地 株式会社東芝研究開発センター内
(74)代理人 弁護士 鈴江 武彦 (外6名)

(54)【発明の名称】 光ディスク記録再生装置及び再生方法

(57)【要約】

【課題】光ディスクを装置から取出しても、いわゆるレジューム動作を有効に機能させて、従前の再生動作の再開を実現し、ユーザの再生に關係する操作性を向上させることにある。

【解決手段】例えばDVDのような大容量の記録再生可能な光ディスク1を使用する再生する光ディスク記録再生装置である。CPU11は、入力装置12からの再生停止の指示に従って記録領域の再生停止位置を検出し、この再生停止位置を示すレジュームアドレスを光ディスク1のUTOC領域に記録する。また、その時の再生環境状態を示すレジューム環境情報もUTOC領域に記録する。光ディスク1を再セットされて再生開始の指示がなされると、CPU11はUTOC領域を参照して、レジューム動作に必要なレジュームアドレスとレジューム環境情報をチェックする。そして、CPU11は、レジュームアドレスとレジューム環境情報により、再生停止時の従前の再生動作を再開し、その時の再生環境状態を再現する。



PATENT ABSTRACTS OF JAPAN

(11)Publication number : 2002-330376
 (43)Date of publication of application : 15.11.2002

Int.Cl.

HO4N 5/765
 611B 20/10
 HO4N 5/76
 HO4N 5/781
 HO4N 5/907

Application number : 2001-134407

(71)Applicant : VICTOR CO OF JAPAN LTD

Date of filing : 01.05.2001

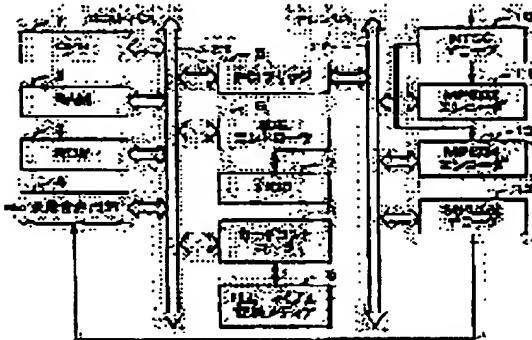
(72)Inventor : TERADA KATSUHIKO

INFORMATION RECORDING AND REPRODUCING SYSTEM, INFORMATION RECORDING DEVICE, AND MOBILE TERMINAL

Abstract

PROBLEM TO BE SOLVED: To provide an information recording and reproducing system that coordinates a mobile terminal and a stationary recording device so as to allow a viewer to continuously view/listen to video/audio information independently of indoor or outdoor.

SOLUTION: The information recording and reproducing system carries out information compression processing to a received video signal/audio signal in compliance with the MPEG 2 and MPEG 4 and records the result to an HDD 7. When a user makes a copy operation during reproduction of information recorded on the HDD 7, the information compressed in compliance with the MPEG 4 corresponding to part successive to the information that is reproduced is copied to a removable recording medium 9. The removable recording medium 9 can be loaded to a mobile terminal having a reproduction function of video/audio information, and the viewer can view/listen to the information recorded by the mobile terminal.



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Text number]

Date of registration]

Number of appeal against examiner's decision of rejection]

Date of requesting appeal against examiner's decision of rejection]

Date of extinction of right]

(10)日本国特許庁 (JP)

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(11)特許出願公開番号

特開2002-330376

(P2002-330376A)

(13)公開日 平成14年11月15日 (2002.11.15)

(51)Int.Cl'	類別記号	F I	タ-ヤ-ト (参考)
H 04 N 5/766		G 11 B 20/10	3 1 1 6 C 0 6 2
G 11 B 20/10	2 1 1	H 04 N 5/76	Z 5 C 0 6 8
H 04 N 5/76		5/807	B 5 D 0 4 4
5/781		6/81	L
5/807		5/781	5 1 0 F

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(21)出願番号 特願2001-134407(P2001-134407)

(71)出願人 000004329

(22)出願日 平成13年5月1日(2001.5.1)

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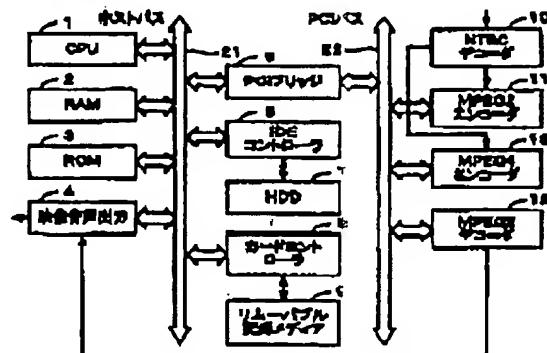
最終頁に続く

(34)【発明の名款】 情報記録再生システム、情報記録装置、及び携帯端末

(57)【要約】

【課題】 携帯端末と機械書き型の記録装置とを連携させ、映像音声情報を屋外、屋内に問わらず、統統的に視聴することが可能な情報記録再生システムを提供する。

【解決手段】 入力される映像信号及び音声信号に対してMPEG2及びMPEG4による情報圧縮処理を行い、HDD7に記録する。HDD7に記録された情報の再生中に、ユーザがコピー指示を行うと、再生中の情報の続きを部分に対応する、MPEG4で圧縮された情報がリムーバブル記録メディア9にコピーされる。リムーバブル記録メディア9は、映像音声情報の再生機能を有する携帯端末に装着可能であり、携帯端末により記録された情報が視聴される。



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Mailed February 21, 2006

NOTICE OF GROUND OF REJECTION

Patent Application No. 2002-372101
Drafting Date February 17, 2006
Patent Office Examiner Tetsu Saito (4282 5Q00)
Attorney Mr. Hisao Fukami (et al.)
Applied Provision Paragraph 2 of Article 29

The present application shall be recognized to be rejected on the following ground. It is required that the remarks, if any, be submitted within 60 days from the date on which the present NOTICE was mailed.

GROUND

It is recognized that, because the invention described in Claims of SCOPE OF CLAIMS FOR PATENT of the present application could have been invented readily by a person having ordinary knowledge in the field of the art to which the present invention pertains prior to the filing of the present application based on the invention as described in the following publications distributed or the invention as made available to the public through electric telecommunication lines in Japan and/or foreign countries prior to the filing of the present application, a patent cannot be granted thereto under the provision of Paragraph 2 of Article 29 of the Patent Law.

REMARKS (See the list of the cited references.)

- Claim 2
- Cited references 1-4
- Note

Cited reference 1 describes the technique to lessen the likelihood of failure to update control information due to power cutoff by updating a

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Mailed May 23, 2006

FINAL DECISION FOR REJECTION

Patent Application No.	2002-372101
Drafting Date	May 16, 2006
Patent Office Examiner:	Tetsu Saito (4232 5Q00)
Title of the Invention	Data Storage and Reproduction Apparatus
Applicant for Patent:	FUNAI ELECTRIC CO., LTD.
Attorney:	Mr. Hisao Fukami (et al.)

It is recognized that the application should be rejected on the ground described in the Notice of Ground of Rejection of February 17, 2006.

Meanwhile, the remarks and the amendment were reviewed but no basis for overcoming the ground of rejection was found.

Note:

As to claims 1 to 3, it has been known to a person skilled in the art prior to filing of the subject application that reproduction position information is stored for each program in a data storage and reproduction apparatus capable of recording a plurality of programs, as disclosed, for example, in paragraph [0022] and Fig. 5 of Japanese Patent Laying-Open No. 2002-330376. Therefore, no noticeable effect is found in the feature to "cause the latest of said storage position information and the latest of said reproduction position information to be stored in said second area with a flag at every prescribed time" "for each program," that is asserted by the Applicant as being different, as a result of amendment, from each reference cited in the previous notice of ground of rejection.

Considering commonness in the field of the art known to a person skilled in the art from the references cited in the previous notice of ground of rejection, Japanese Patent Laying-Open No. 2002-330376 and the like, it is determined that the invention according to claims 1-4 could have been invented readily by a person skilled art based on the references and the



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1221 MCKINNEY STREET
SUITE 2800
HOUSTON TX 77010

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OFFICE OF PETITIONS

In re Application of
Tadahiro Naitoh et al
Application No. 10/735,935
Filed: December 15, 2003
Attorney Docket No. 04536.027001

ON PETITION

This is a decision on the petition, filed May 25, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on May 25, 2006 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The examiner of Technology Center AU 2189 will consider the request for continued examination under 37 CFR 1.114.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions

Docketed Action:		
<input type="checkbox"/> New	<input type="checkbox"/> Previously Paid	<input checked="" type="checkbox"/> Non Required
Docket Number: 04536/027001		
Attorney Initials: SPC/NJP		
Docketing Initials: DKC		

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the

55

EXHIBIT 3

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JAN 23 2007

NOTICE OF ALLOWANCE AND FEE(S) DUE.

22511 7990 07/25/2006
OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER	
PEIKARI, BEHZAD	
ART UNIT	PAPER NUMBER
2189	
DATE MAILED: 07/25/2006	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,935	12/15/2003	Tadahiro Naitoh	04536.027001	3714

TITLE OF INVENTION: DATA STORAGE AND REPRODUCTION APPARATUS STORING AND REPRODUCING MULTIMEDIA DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	\$1400	10/25/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.13 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

JAN 23 2007

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address, and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22511 7590 07/23/2006

OSHA LIANG LLP.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Deposited on)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,935	12/15/2003	Tadahiro Naitoh	04536.027001	3714

TITLE OF INVENTION: DATA STORAGE AND REPRODUCTION APPARATUS STORING AND REPRODUCING MULTIMEDIA DATA.

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	\$1400	10/25/2006
EXAMINER	ART UNIT	CLASS-SUBCLASS				
PEIKARI, BEHZAD	2189	711-161000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.36).

 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. "Fee Address" indication (or "Fee Address" indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first recopy any previously paid issue fee shown above)

A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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JAN 23 2007

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,935	12/15/2003	Tadahiro Naitoh	04536.027001	3714
22511	7590	07/25/2006	EXAMINER	
			PEIKARI, BEHZAD	
		ART UNIT		PAPER NUMBER
				2189
DATE MAILED: 07/25/2006				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 322 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 322 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

JAN 23 2007

Notice of Allowability	Application No.	Applicant(s)
	10/735,935	NAITO ET AL.
	Examiner	Art Unit
	B. James Peikari	2189

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the RCE filed on May 25, 2006.
2. The allowed claim(s) is/are 1-4.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/25/06
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



B. James Peikari
Primary Examiner
Art Unit: 2189



PTO/SB/08a/b (07-06)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1448A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/735,935-Conf. #3714
(Use as many sheets as necessary)				Filing Date	December 15, 2003
Sheet	1	of	7	First Named Inventor	Tadahiro Narita
				Art Unit	2189
				Examiner Name	Krevets, Leonid PEIKAR
				Attorney Docket Number	
				04538/027001	

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document Country Code-Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BJP	BA	JP-7-249261	09-26-1995	Alwa Co. Ltd.	
BJP	BB	JP-5-314726	11-26-1993	Sony Corp.	
BJP	BC	JP-9-198848	07-31-1997	Hitachi Ltd.	
BJP	BD	JP-2001-312875	11-09-2001	Matsushita Electric Ind. Co. Ltd.	
BJP	BE	JP-64-10465	01-13-1989	Matsushita Electric Ind. Co. Ltd.	
BJP	BF	JP-10-97766	04-14-1998	Toshiba Corp.	
BJP	BG	JP-2002-330376	11-15-2002	Victor Co. of Japan Ltd.	

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.19 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published.			T ²
BJP	CA	Patent Abstracts of Japan, Publication No.: 07-249261, Publication Date: September 26, 1995, 1 page.			
BJP	CB	Patent Abstracts of Japan, Publication No.: 05-314726, Publication Date: November 26, 1993, 1 page.			
BJP	CC	Patent Abstracts of Japan, Publication No.: 09-198848, Publication Date: July 31, 1997, 1 page.			
BJP	CD	Patent Abstracts of Japan, Publication No.: 2001-312875, Publication Date: November 09, 2001, 1 page.			
BJP	CE	Patent Abstracts of Japan, Publication No.: 64-010465, Publication Date: January 13, 1989, 1 page.			
BJP	CF	Patent Abstracts of Japan, Publication No.: 10-097766, Publication Date: April 14, 1998, 1 page.			
BJP	CG	Patent Abstracts of Japan, Publication No.: 2002-330376, Publication Date: November 15, 2002, 1 page.			
BJP	CH	Japanese Office Action issued for Japanese Application No. 2002-372101, mailed on February 21, 2006, and English translation thereof, 5 pages.			
BJP	CI	Japanese Final Decision for Rejection issued for Japanese Application 2002-372101, mailed on May 23, 2006, and English translation thereof, 4 pages.			

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

Examiner Signature 15388		Date Considered	7/7/06
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01/23/2007 17:30 FAX 7132288778

OSHA_LIANG LLP

052/075

EXHIBIT 4



JAN 23 2007

Docket No.: 04536/027001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadahiro Naitoh et al.

Application No.: 10/735,935

Confirmation No.: 3714

Filed: December 15, 2003

Art Unit: 2189

For: DATA STORAGE AND REPRODUCTION
APPARATUS STORING AND
REPRODUCING MULTIMEDIA DATA

Examiner: Peikari, Behzad

DECLARATION OF DEBORAH K. DOYLE

In connection with the Notice of Abandonment dated November 29, 2006, for failure to timely pay the Issue Fee after mailing of a Notice of Allowance for the referenced application, this declaration sets forth the pertinent facts proving non-receipt of the Notice of Allowance dated July 25, 2006.

1. I, Deborah K. Doyle, work in the docketing department at Osha Liang LLP as a Docketing Specialist.
2. When any communication that involves an original action (e.g., correspondence from the United States Patent and Trademark Office (USPTO), correspondence from foreign associates, internal emails requesting addition of a docket item, etc.) is received by the docketing department, either myself or another individual in the docketing department handwrites an entry recording the required action in a docket journal. This entry includes, at least, the date the communication is received, the matter number for the action, the initials of the responsible attorney, a brief description of the original action (e.g., Issue Fee), and the due date. In addition, either I or another individual in the docketing department enters the original action into the electronic docketing system.

3. After the original action related to the communication is docketed, a docket sheet is printed that includes the newly docketed action. A docket sheet reflects all actions (e.g., pending and completed) docketed for a particular matter.
4. Pages 124-141 of the docket journal, a true copy of which is attached to this declaration, includes entries for all original actions received by the docketing department during the relevant time period (*i.e.*, July 25, 2006 to August 22, 2006) when the Notice of Allowance dated July 25, 2006, might reasonably have been received.
5. Upon my inspection of the docket journal, I find no entry related to a Notice of Allowance for the referenced application in the pages from the relevant time period.
6. The computer generated docket sheet also attached to this declaration is representative of all action items entered into the docketing system for the referenced application prior to the docketing department receiving the Notice of Abandonment dated November 29, 2006. If the Notice of Allowance dated July 25, 2006 had been received by the docketing department, additional entries regarding due dates for payment of the Issue Fee would be present on this sheet. Upon my inspection of the docket sheet, I find no entry related to a Notice of Allowance for the referenced application.
7. Activities discussed in items 1-3 were carried out in the United States of America, in a NAFTA country or in a WTO member country.

I, Deborah K. Doyle, hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 23rd day of January, 2007.

Deborah K. Doyle
Deborah K. Doyle

Attachments: Docket Journal Copies
Computer Generated Docket Sheet

124

7-25-06	17245/012CA1 (LR) FF convention ands	7-27-06
	17245/012CN1	
	17245/012AU1	
	17245/012EU1	
	17245/012IN1	
	17245/012JP1	
	17245/012MX1	
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8-4-06	15115/204001 (JPO) Resp to OA	11-1-06
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2	8-9-06	17242/1007W02 (TCL) ICD / Response Due / ICP	9-8-06 / 9-8-06 / 23-06
2	8-10-06	17185/006001 (TCL) JDS w/ PTO-1449	9-10-06
3	8-10-06	17185/002001 (TCL) JDS w/ PTO-1449	9-10-06
1	8-11-06	02008/111002 (TIC) Comments to Client	8-14-06
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1	8-11-06	07522/095001 (LLR) File Assign.	9-11-06
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1	8-14-06	07522/090002 (LLR) Information to Counsel	8-25-06
1	8-14-06	03226/245001 (TKS) Issuer/2000 / Issuer/2000	10-23-06 / 11-9-06
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7-31-06	05516/217002 (JSB) missing pts	9-27-06
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8-16-06	17224/017CNI (LLR) Target Filing Date	9-16-06
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8-11-06	11345 / 001003 (JPO) Uq. Correct DFL / Missing Pts	10-9-06 / 10-20-06
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26	8-21-06	02008/276002 (TKS) file Divisional Appl.	9-21-06
06	8-21-06	04995/123001 (JPO) Comments to Client	9-4-06
26	8-21-06	14200/043001 (JPO) Comments to Client	8-22-06
16	8-21-06	11345/027001 (JPO) Comm. w/ Examiner	8-28-06
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17	8-22-06	04558/069001	(TKS) IAS w/ B-1449	9-21-06
27	8-22-06	04730/007001	(JPO) Issuer-2nd/ Issuer	11-4-06/11-21-06
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	8-11-06	11345/061004	(JPO) Reg. Correct SFR	10-8-06
	8-11-06	03226/875001	(A20) IAS	10-20-06
	8-11-06	03226/881001	(A20) IAS	10-20-06
	8-23-06	07522/109001	(JPO) Comments to Client	8-25-06
	8-23-06	17081/004001	(JPO) Comments to Client	8-30-06
	8-23-06	15115/230001	(JPO) Fil. Assign.	11-10-06
	8-23-06	02008/108001	(TKS) Reg. Cert. & Comm.	9-5-06
	8-23-06	02008/280001	(TKS) Comments to Client	9-13-06
	8-21-06	05514/0780000	(JSB) Missing Pts (2m) / IAS	10-17-06/10-28-06
	8-22-06	02008/3106001	(TKS) " / "	10-18-06/11-9-06
		37202/015001	(TKS) " / "	10-18-06/10-31-06
		02008/3103001	(TKS) Missing Pts (2m)	10-18-06
		02008/3105001	(TKS) Missing Pts (2m)	10-18-06
		07200/030001	(JPO) broad Pissue DL / 1 st MAINT FEE	9-5-08/3-5-10
0		17170/007001	(JPO) " / "	9-5-08/3-5-10
2		03226/219001	(TKS) Broad Pissue DL	9-5-08
7-08		05514/091003	(TKS) "	9-5-08
8		05514/128007	(TKS) "	9-5-08
	✓	15115/144001	(JPO) Broad Pissue DL / 1 st MAINT FEE	9-5-08/3-5-10

Docket#	64536/027001			PRINTED ON: 01/19/2007					
COUNTRY	US	UNITED STATES		TITLE					
NEW/CON	CEQ	SERIAL#	10/735,935	DATA STORAGE AND REPRODUCTION APPARATUS STORING AND REPRODUCING MULTIMEDIA DATA					
RELATED	n/a	PATENT#							
TYPE	UTL	STATUS	PUBLISHED						
CLIENT	04536	Fukami Patent Office		1	CREF	903278-01 (M/kt); US-600			
AGENT				AREF					12/15/2023

ID	O	ACTION	BASE	DU IN	DU	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
PD	Y	PRIORITY DOCUMENT	12/15/2003										
12/26/03: Rcv'd returned postcard date-stamped 12/15/03.													
FM	y	FORMAL DRAWINGS	12/15/2003										
12/26/03: Rcv'd returned postcard date-stamped 12/15/03.													
AS	Y	ASSIGNMENT	12/15/2003										
12/26/03: Rcv'd returned postcard date-stamped 12/15/03.													
DO	N	APPL FILING DEADLINE	12/24/2002	12 M	12/24/2003		12/24/2003	0	12/15/2003	1 M	Y Y Y		
12/26/03: Rcv'd returned postcard date-stamped 12/15/03.													
PC	N	POST CARD CHECK	12/15/2003	1 M	01/15/2004		01/15/2004	0	12/26/2003	1 M	Y Y Y		
FS	N	FILG RCPT STATUS CHK	12/15/2003	3 M	03/15/2004	1 1	04/15/2004	1	03/29/2004	1 M	Y Y Y		
DS	N	INF DISCLOSURE STMT	12/15/2003	3 M	03/15/2004		03/15/2004	0	12/15/2003	1 M	Y Y Y		
12/26/03: Rcv'd returned postcard date-stamped 12/15/03.													
PU	N	PUBLICATION	12/24/2002	21 M	09/24/2004		09/24/2004	0	08/12/2004	1 M	Y Y Y		
No Notice of Publication rcv'd although USPTO has correct address.													
CD	N	CONTACT EXAMINER	12/16/2005	4 D	12/20/2005		12/20/2005	0	2/22/2005	0 M	Y Y Y		
12/20/05: Client fax - agree w/changes.													
12/16/05: JPO email - Exr Kravets 571-272-2706 wants approval for some changes (case is allowable), give file to WA ASAP.													
	N	CONTACT EXAMINER	03/17/2006	7 D	03/24/2006		03/24/2006	0	04/03/2006	1 M	Y Y Y		
04/03/06: NJP - Examiner will send Supplemental NOA.													
03/17/06: Client fax - contact Examiner if necessary, as the Examiner's Amendment shows claims 1-4 allowed while the Notice shows only 1-3 claims allowed. (Conf rec'd 03/27)													
IF	N	1st ISSUE FEE	01/03/2006	3 M	04/03/2006		04/03/2006	0	04/03/2006	1 M	Y Y Y		
04/11/06: Returned postcard date-stamped 04/03/06.													
04/06/06: USPTO 04/03/06 Supplemental Notice of Allowability.													
IN	N	ISSUE NOTIFICATION?	04/03/2006	45 D	05/18/2006	1 1	06/18/2006	1	05/30/2006	0 M	Y Y Y		
05/30/06: USPTO 05/24/06 Issue Notification. (Patent No. 7,062,152 Issue Date 06/13/06)													
05/25/06: Filed Petition to Withdraw from Issue, RCE & IDS.													
CX	N	RQST CONTINUED EXAM	05/24/2006	1 D	05/25/2006		05/25/2006	0	05/25/2006	1 M	Y Y Y		
06/02/06: Returned postcard date-stamped 05/25/06.													
ID	N	IDS W/ PTO-1449	05/24/2006	1 D	05/25/2006		05/25/2006	0	05/25/2006	1 M	Y Y Y		
06/02/06: Returned postcard date-stamped 05/25/06.													
05/24/06: Client fax - Endcs: 02/21/06 & 05/23/06 OAs w/cited refs from corresp JP appl (transl will follow 05/25), file RCE & IDS before issuance.													
WI	N	REQ WITHDWL OF ISSUE	05/24/2006	1 D	05/25/2006		05/25/2006	0	05/25/2006	1 M	Y Y Y		
06/07/06: USPTO 06/02/06 Decision on Petition - GRANTED.													
05/24/06: Client fax - file petition to withdraw case from issue along with RCE and IDS.													
C2	N	COMMENTS TO CLIENT	12/12/2006	7 D	12/19/2006		12/19/2006	0	2/14/2006	1 M	Y Y Y		
12/12/06: Client fax - advise official due date to file petition to accept late payment of issue fee due to unavoidable abandonment and advise probable cost to be incurred in proceeding to petition.													
C2	N	COMMENTS TO CLIENT	12/25/2006	2 D	12/27/2006		12/27/2006	0	01/02/2007	1 M	Y Y Y		

12/26/06: Client 12/25/06 fax - questions re situation where NOA was not rcvd by mail even though address was correct.											
AW	N	REQ WITHDRAW ABANDON	11/29/2006	2M	01/29/2007			01/29/2007	0		1M YY YY
01/19: Client fax - file petition & apply issue fee pd 04/03/06.											
12/12: Client fax - seeking Instruc from client. (Conf 12/20)											
NJP - with client's approval, will file petition to accept late pmt of issue fee.											
12/04: USPTO 11/29/06 Notice of Abandonment.											

INVENTORS	ASSIGNEES
Tadahiro Naitoh	Funai Electric Co., Ltd.
Makoto Takemoto	

PRIOR APPLICATIONS											
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION				TYPE			
	JP	2002-372101 (P)	12/24/2002					APPL			

USER-DEFINABLE FIELDS				PATENT FIELDS			
PRIOR#				SMALL ENTITY	NO	ART UNIT	2189
CUST#	22511			CLAIMS	4	EXAMINER	Behzad Peikari
LOCATN				PUBLICATION#	US2004-0158767	CONFIRM#	3714

P33523US00 ENTERED 12/08/2003 MODIFIED 01/19/2007 3 BY dkd ATTORNEYS JPO / JPO / NJP

NOTES

07/12/2004: USPTO 07/03/04 Notice of Recordation of Assignment Document.
12/15/2003: USPTO recorded assignment at Reel/Frame: 014812/0096.

December 15, 2006

To: Mail Stop EBC
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

PCT patent application number: PCT/IB2005/053253

Customer Number: 57380

Attorney docket number: ~~ERLGP-038-WO~~

Re: Request to update a PCT application with a customer number

Please associate the above-listed PCT patent application number with the above-listed Customer Number for viewing of the above-listed PCT patent application in Private PAIR.

Please send notification regarding success or failure of this request to the following address:

Oppedahl & Olson LLP
P O Box 4850
Frisco, CO 80443-4850

The following attorney of record for the above-listed PCT patent application, with the attorney registration number listed below, has authority to make this request.

/s/

Carl Oppedahl
PTO Reg. No. 32746

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